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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,216	04/16/2004	John Amico	20074500-0003-001	7252

26263 7590 03/03/2008  
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EXAMINER
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AZARIAN, SEYED H

ART UNIT	PAPER NUMBER
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2624

MAIL DATE	DELIVERY MODE
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03/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**supplemental  
Notice of Allowability**

Application No.	Applicant(s)	
10/825,216	AMICO ET AL.	
Examiner	Art Unit	
Seyed Azarian	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to Telephone interview on February 29, 2008.
2.  The allowed claim(s) is/are 1-3, 59-61, 64-66, 69-74, 80-81, 84-85 and 88-89, now renumbered as 1-21.

3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some\*    c)  None    of the:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.

(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

***Information Disclosure Statement***

1. The Information Discloser Statement filed 12/14/2007, has been fully considered by examiner. An initialed copy of the PTO-1449 is attached to this office action.

The closest prior art of record is directed to identifying one corner of the outline wherein said corner is identified by calculating the curvature of the outline, but do not teach or suggest, among other things, the amended claims “at least a pre-defined minimum value; and identifying at least one notch of the at least one outline wherein said notch, is identified by determining a plurality of at least “three turn points” on the outline, including a first “turn point” followed in a first direction by a second “turn point” and followed in a second direction by a third turn point, wherein the distance between the first turn point, and the “third turn point” is less than a predetermined maximum value and at least a predetermined minimum value curvatures, wherein each of the plurality of curvatures is in a neighborhood of a point on the at least on outline”.

**EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Applicants Attorney (Joe N. Bock, Reg No. 36,456), on February 29, 2008, without traverse.

**The amended claims 3, 69, 70, 71, 74, 88 and 89 as follows:**

Claim 3. (Currently Amended) ~~Software stored in a~~ Computer-readable storage medium having stored therein software which, when executed by a processing arrangement, is configured to digitize shapes, said software ~~storage medium~~ comprising:

~~-a software program including:~~

a first module which, when executed, receives at least one data representing at least one shape;

a second module which, when executed, identifies at least one outline of the at least one shape in the at least one data, wherein the outline has a curvature;

a third module which, when executed, identifies at least one corner having a relatively large average curvature of the at least one outline wherein said corner is identified by calculating the curvature of the outline in a neighborhood of a point on the outline and determining whether the curvature is at least a pre-defined minimum value; ~~and~~

~~-a fourth module which, when executed, and~~ identifies at least one notch of the at least one outline wherein said notch is identified by determining ~~a plurality of at least three turn points on the outline, including a first turn point followed in a first direction by a second turn point and followed in a second direction by a third turn point, wherein the distance between the first turn point, and the third turn point is less than a predetermined maximum value and at least a predetermined minimum value curvatures, wherein each of the plurality of curvatures is in a neighborhood of a point on the at least one outline.~~

Claim 69. (Currently Amended) the Computer-readable ~~software~~ storage medium of claim 3, wherein, the at least one notch ~~outline~~ is represented by a series of point coordinates.

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Claim 70. (Currently Amended) the Computer-readable software storage medium of claim 74, wherein said digitized shape corresponds to the shape of a pattern for producing sewn goods.

Claim 71. (Currently Amended) the Computer-readable software storage medium of claim 74, wherein said digitized shape corresponds to the shape of a garment pattern.

Claim 74. (Currently Amended) ~~Software stored in a~~ Computer-readable storage medium having stored therein software which, when executed by a processing arrangement, is configured to digitize shapes, said software ~~storage medium~~ comprising:

~~a software program including:~~

a first module which, when executed, receives at least one data representing at least one shape;

a second module which, when executed, identifies at least one outline of the at least one shape in the at least one data; and

a third module which, when executed, identifies at least one notch of the at least one outline wherein said notch is identified by determining ~~a plurality of curvatures, wherein each of the plurality of at least three turn points on the outline, including a first turn point followed in a first direction by a second turn point and followed in a second direction by a third turn point, wherein the distance between the first turn point, and the third turn point is less than a predetermined maximum value and at least a predetermined minimum value curvatures, wherein each of the plurality of curvatures is in a neighborhood of a point on the at least one outline.~~ .

Claim 88. (Currently Amended) the Computer-readable software storage medium of claim 74, wherein at least one notch is further identified by a minimum depth. said digitized.

Claim 89. (Currently Amended) the Computer-readable software storage medium of claim 74, wherein the at least one notch is fresher identified by a maximum depth.

## REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance.

The reason for allowance of claims 1-3, 59-61, 64-66, 69-74, 80-81, 84-85 and 88-89, set forth in the previous office action dated on 8/16/2007 are not repeated herein, but are incorporated by reference. As applicants properly point out in the previous remark, the prior art (Ishikawa and Bankart) references fail to disclose the claimed limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seyed Azarian whose telephone number is (571) 272-7443. The examiner can normally be reached on Monday through Thursday from 6:00 a.m. to 7:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, can be reached at (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application information Retrieval (PAIR) system. Status information for published application may be obtained from either Private PAIR or Public PAIR.

Status information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Seyed Azarian*  
Patent Examiner  
Group Art Unit 2624  
March 1, 2008



SEYED AZARIAN  
PRIMARY EXAMINER